



ITEM NO. 15

STAFF REPORT

DATE: JUNE 21, 2011
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ROD FOSTER, CITY MANAGER
PREPARED BY: AMER JAKHER, PUBLIC WORKS & UTILITIES SERVICE DIRECTOR
SUBJECT: PUBLIC HEARING FOR THE BASIC FEE FOR STORM WATER SERVICES AND STORM WATER MANAGEMENT USER FEE

RECOMMENDED ACTION

It is recommended that the City Council conduct a public hearing and adopt Resolution R-62-11 approving the Basic Fee for Storm Water Services and the Storm Water Management User Fee, as provided for in Chapter 14.01 of the Colton Municipal Code.

GOAL STATEMENT

The proposed action will support the City's goal to maintain its storm drain system and ensure compliance with the California Regional Water Quality Control Board.

BACKGROUND

As a result of a state requirement issued by the California Regional Water Quality Control Board, the County of San Bernardino drafted an Implementation Agreement. This Agreement was entered into between all Co-Permittees (cities) listed in the Permit issued by the State to the County of San Bernardino, to oversee the National Pollutant Discharge Elimination System (NPDES). This Agreement was executed in October 1990. Through this Agreement, the San Bernardino County Flood Control District was issued a five-year NPDES Storm Water Permit, with 16 incorporated cities as Co-Permittees. As this permit is renewable every five years, the City is currently operating under its fifth permit effective thru January 2015.

The establishment of this Agreement requires the City to perform regular inspections and water quality monitoring. These services are funded as authorized by Chapter 14.01 of the City's Municipal Code; originated through Ordinance 0-20-96. Each property owner is assessed a Storm Water Management Fee based upon the land use and size of the property. The average residential Storm Water Management Fee for fiscal year 2011 was \$25.00. In order for the City to charge these fees, the County requires that the fees be submitted to the City Council for

approval each year. The City Council must also hold a public hearing each year for all affected property owners.

ISSUES/ANALYSIS

The public hearing date for the Storm Water Basic Fee and Storm Water Management Fee was set on May 17, 2011 and since published in the local newspaper. There is no increase in either the "Basic Fee for Storm Water Services" or "Storm Water Management User Fee." The fees collected this year will fund the Storm Water Division for FY 11-12, which includes the City's operational costs for street sweeping, storm drain cleaning, NPDES inspections and litter control.

FISCAL IMPACTS

The cost to the City's residential and commercial landowners is the same as previous years. The revenue is used to fund the City's NPDES Storm Water Program, as mandated by Federal and State regulations. Without the fees, the General Fund would bear the costs needed to finance the Storm Water Program (FY 11-12, in the amount of \$521,575).

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

Resolution

RESOLUTION NO. R-62-11

1 **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON,**
2 **CALIFORNIA APPROVING THE BASIC FEE FOR STORM WATER SERVICES**
3 **AND THE STORM WATER MANAGEMENT USER FEE FOR FISCAL YEAR**
4 **2011/2012 AS PROVIDED FOR IN CHAPTER 14.01 OF THE COLTON MUNICIPAL**
5 **CODE.**

6 **WHEREAS,** Section 14.01.050 of the Colton Municipal Code authorizes the City
7 Council to establish a Basic Fee for Storm Water Services and a Storm Water
8 Management User Fee in accordance with the formula established in that Section
9 14.01.050; and

10 **WHEREAS,** after consideration of factors necessary to establish a Basic Fee for
11 Storm Water Services and the Storm Water Management User Fee at a duly noticed
12 public hearing, the City Council has established the Basic Fee for Storm Water Services
13 and the Storm Water Management User Fee by Resolution R-89-96; and

14 **WHEREAS,** the basic fee and formula of the established Storm Water
15 Management Fee remain unchanged and San Bernardino County land use codes now
16 apply.

17 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON**
18 **DO HEREBY RESOLVE AS FOLLOWS:**

19 **SECTION 1** The Basic Fee for Storm Water Services and the Storm Water
20 Management User Fee authorized pursuant to Section 14.01.050 of the Colton Municipal
21 Code shall be based upon land use and parcel size as they relate to the generation of
22 Storm Water runoff as set forth in the table attached hereto and incorporated herein by
23 this reference as Exhibit A.

24 **SECTION 2** These fees shall be billed through the San Bernardino County tax
25 assessors system.

26 **SECTION 3** The fees set forth on Exhibit A are hereby imposed on all properties
27 within the City.

28 **PASSED, APPROVED AND ADOPTED** this 21st day of June 2011.

DAVID R. ZAMORA, Mayor

ATTEST:

EILEEN C. GOMEZ, City Clerk

EXHIBIT A
STORMWATER FEES - FY 2011-12

FY 2010-11 Rate: \$24.13 per Basic Benefit Unit (BBU)
FY 2011-12 Rate: \$24.13 per Basic Benefit Unit (BBU)
Stormwater Management Use Fee Equals: (BBU Rate) x (No. of BBUs per Billed Parcel)
Basic Benefit Unit (BBU) Calculation (a)

- 1) Single Family Residential Land Use (Stormwater Group C)
 - a. Parcel Size of 0.1667 Acres or Less: 1.0 BBU Regardless of Specific Acreage: Runoff Factor is 0.40
 - b. Parcel Size Portion 0.167 to 2.50 Acres: Runoff Factor is 0.0067
BBU equals 1.0 + (Parcel Acreage - 0.167 Acres) x 0.10
 - c. Parcel Size Portion Greater Than 2.5 Acres: Runoff Factor is 0.0033
BBU equals 1.23 + (Parcel Acreage - 2.5 Acres) x 0.05
- 2) Other (All Other Land Use Codes and Stormwater Groups)

Number of BBUs equals Parcel Size in Acres x BBUs per Acre per Stormwater Group (as listed below)

Stormwater Group Description	Runoff Coefficient (b)	Basic Benefit Units per Acre	San Bernardino County Land Use Code
Group A - Commercial/Industrial	0.80	12.00	100, 101, 102, 103, 104, 105, 106, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 140, 141, 142, 143, 150, 151, 152, 153, 161, 162, 163, 164, 170, 171, 172, 173, 174, 180, 210, 211, 212, 230, 231, 232, 233, 251, 252, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 320, 321, 322, 330, 331, 332, 333, 340, 341, 342, 343, 344, 345, 346, 347, 350, 351, 352, 353, 354, 360, 361, 362, 363, 364, 365, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 387, 388, 390, 391, 392, 393, 399, 435, 789, 812, 813, 814, 815, 816, 817, 819, 823, 824, 825, 826, 827, 829, 834, 835, 836, 837, 839, 845, 846, 847, 849, 856, 857, 858, 867, 869, 879, 883, 907, 950, 951, 953
Group B - Multi-family Dwellings, Churches and Schools	0.60	9.00	001, 335, 336, 337, 389, 400, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 520, 521, 522, 523, 524, 525, 526, 530, 531, 532, 600, 601, 602, 603, 604, 605, 610, 611, 612, 613, 620, 621, 622, 623, 630, 631, 640, 641, 642, 643, 650
Group C - Single Family Residential	Varies - See (1) Above		510, 511, 512, 513, 533, 534, 535, 599
Group D - Agriculture/Govern/Public	0.0000	0.00	002, 003, 160, 236, 253, 334, 420, 421, 430, 431, 432, 433, 434, 436, 701, 702, 710, 711, 712, 713, 714, 720, 721, 722, 730, 731, 732, 733, 734, 735, 736, 737, 750, 751, 752, 753, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 778, 900, 901, 902, 903, 904, 905, 906, 952, 999
Group E - Golf Courses/Cemeteries	0.0067	0.10	385, 386, 410, 411
Group F - Vacant/Undeveloped	0.0033	0.05	000, 004, 041

No parcel is charged for fees less than \$1.

- (a) The BBU calculation is based on the County Flood Control Division allocation method for County-wide communities. The BBU is based on a typical Single Family Residential parcel of 0.167 acres.
- (b) The land use runoff coefficients are based on NPDES program criteria by County Flood Control, on City property.

**CITY OF COLTON
FY 2011-2012 STORMWATER MANAGEMENT FEES**

Land Use Code	SW Group	BBU/Acre	Land Use	Total Acres	Total Parcels	Total Fees ⁽¹⁾⁽²⁾
0000	F	0.05	Vacant Land	2,322.60	291	\$2,802
0001	B	9.00	MH Subdivision Lot	0.81	9	176
0004	F	0.05	Unimproved Cemetery Land	38.30	7	46
0100	A	12.00	Storage Warehouse	69.22	68	20,043
0101	A	12.00	Distribution Warehouse	112.90	16	32,691
0102	A	12.00	Transmit Warehouse	9.25	4	2,678
0103	A	12.00	Mini-Storage Warehouse	6.90	3	1,998
0104	A	12.00	Storage Building	8.50	3	2,461
0105	A	12.00	Lumber Storage	0.77	1	223
0106	A	12.00	Storage Yard	15.77	2	4,566
0110	A	12.00	Industrial Loft	38.25	20	11,076
0111	A	12.00	Industrial Condo	0.71	7	206
0112	A	12.00	Engineering/Research Lab	5.05	1	1,462
0113	A	12.00	Light Industrial	177.32	77	51,345
0114	A	12.00	Heavy Industrial	38.62	2	11,183
0115	A	12.00	Food Processing	18.82	5	5,450
0171	A	12.00	Water Distribution Systems	0.01	1	3
0210	A	12.00	General Office	62.88	64	18,208
0211	A	12.00	Bank, S&L	2.77	5	802
0230	A	12.00	Medical Office	11.35	14	3,287
0231	A	12.00	Dental Office	0.46	1	133
0300	A	12.00	Retail Store	49.34	89	14,287
0301	A	12.00	Retail Warehouse	6.45	1	1,868
0302	A	12.00	Discount Store	32.11	7	9,298
0303	A	12.00	Department Store	0.86	1	249
0304	A	12.00	Retail Strip	25.79	28	7,468
0305	A	12.00	Shopping Center	13.67	4	3,958
0310	A	12.00	Dairy Sales	0.15	1	43
0312	A	12.00	Convenience Store	1.54	3	446
0313	A	12.00	Convenience Store w/Gas	3.80	5	1,100
0314	A	12.00	Market	2.50	9	724
0315	A	12.00	Supermarket	12.02	4	3,481
0320	A	12.00	Fast Food	15.56	28	4,506
0321	A	12.00	Restaurant	8.42	14	2,438
0322	A	12.00	Bar, Tavern	1.90	2	550
0330	A	12.00	Hotel	3.50	2	1,013
0331	A	12.00	Motel	7.52	6	2,177
0335	B	9.00	Board and Care Home	0.73	1	159
0340	A	12.00	Car Lot	5.81	6	1,682
0342	A	12.00	Auto Dealership (Sales, Svc)	39.60	9	11,467
0343	A	12.00	Service Station	4.70	8	1,361
0344	A	12.00	Service Garage	12.27	24	3,553
0345	A	12.00	Mini-lube Garage	1.28	2	371
0346	A	12.00	Car Wash, Coin-op	1.20	4	347
0347	A	12.00	Car Wash, Automatic	2.32	3	672
0350	A	12.00	Parking Lot	9.05	25	2,621
0351	A	12.00	Auto Storage Yard	3.30	4	956
0376	A	12.00	Handball/Racquetball	1.16	1	336
0386	E	0.10	Golf Course	52.00	1	125
0388	A	12.00	Clubhouse	4.11	6	1,190
0389	B	9.00	Fraternal/Veterans Organization	0.84	2	182
0391	A	12.00	Amusement/Theme Park	0.75	1	217
0393	A	12.00	Travel Center	4.40	1	1,274
0400	B	9.00	Church	29.85	36	6,483
0410	E	0.10	Cemetery	45.80	6	111
0470	B	9.00	Educational	4.91	6	1,066

**CITY OF COLTON
FY 2011-2012 STORMWATER MANAGEMENT FEES**

Land Use Code	SW Group	BBU/Acre	Land Use	Total Acres	Total Parcels	Total Fees ⁽¹⁾⁽²⁾
0471	B	9.00	Pre-School/Day Care Center	0.18	1	39
0472	B	9.00	Elementary School	12.81	6	2,782
0510	C	Varies	Detached SFR	1,730.63	8,844	214,476
0511	C	Varies	Recreational Desert/Mtn Cabin	0.20	1	24
0525	B	9.00	MH (525)	0.18	2	39
0526	B	9.00	MH (526)	21.42	222	4,653
0530	B	9.00	Condo	12.67	646	2,750
0531	B	9.00	PUD	3.57	142	775
0599	C	Varies	Misc Residential Structure	27.55	20	518
0600	B	9.00	Two SFR	52.24	240	11,345
0601	B	9.00	Three SFR	3.90	11	847
0602	B	9.00	Four SFR	2.08	6	452
0603	B	9.00	Duplex	18.02	103	3,914
0604	B	9.00	Triplex (true or combination)	9.78	47	2,124
0605	B	9.00	Quad (true or combination)	19.27	81	4,185
0610	B	9.00	Multi-SFR, 5-14 Units	1.78	6	387
0611	B	9.00	Apartment, 5-14 Units	8.31	20	1,805
0621	B	9.00	Apartment, 15+ Units	158.99	33	34,528
0640	B	9.00	Rectory/Convent	0.34	1	74
0650	B	9.00	Manufactured Home Park	87.25	9	18,948
0799	A	12.00	Miscellaneous Ag Building	35.54	2	10,291
0813	A	12.00	Industrial/Commercial	4.10	1	1,187
0836	A	12.00	Commercial/Multi Family	0.17	1	49
TOTALS				5,581.45	11,396	\$574,808

⁽¹⁾ Slight variance due to rounding

⁽²⁾ The information provided is subject to change as a result of parcel changes and updates received from the County.